

**IN THE UNITED STATES DISTRICT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

JOHN ROBERT SMITH, SHIRLEY HALL,  
and GENE WALKER

PLAINTIFFS

v.

Civil Action No. 3:01-cv-00855-HTW-DCB

DELBERT HOSEMAN, Secretary of State of  
Mississippi; JIM HOOD, Attorney General for  
the State of Mississippi; HALEY BARBOUR,  
Governor of the State of Mississippi;  
MISSISSIPPI REPUBLICAN EXECUTIVE  
COMMITTEE; and MISSISSIPPI  
DEMOCRATIC EXECUTIVE COMMITTEE

DEFENDANTS

v.

BEATRICE BRANCH, RIMS BARBER,  
L.C. DORSEY, DAVID RULE, JAMES  
WOODARD, JOSEPH P. HUDSON, and  
ROBERT NORVEL

INTERVENORS

**MOTION FOR SUBSTITUTION OF PUBLIC OFFICERS**

Haley Barbour, in his official capacity as Governor of the State of Mississippi, moves this Court for an order directing that the caption of this action be corrected, as set forth above, to substitute: (1) Haley Barbour, in his official capacity as Governor of the State of Mississippi, for his predecessor in office, Ronnie Musgrove; (2) Jim Hood, in his official capacity as Attorney General for the State of Mississippi, for his predecessor in office, Mike Moore; and (3) Delbert Hosemann, in his official capacity as Secretary of State of Mississippi, for his predecessor in office, Eric Clark.

Pursuant to Fed. R. Civ. P. 25(d), “when a public officer who is a party in an official capacity ... ceases to hold office while the action is pending,” “[t]he officer's successor is automatically substituted as a party,” “[l]ater proceedings should be in the substituted party's

name,” and “[t]he court may order substitution at any time.” Governor Musgrove, General Moore, and Secretary Clark were named as defendants in this action in their official capacities. Since that time, Governor Barbour, General Hood, and Secretary Hosemann have succeeded them in office and, therefore, are automatically substituted as parties.

Respectfully submitted,

Dated: September 29, 2011

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*Attorneys for Governor Haley Barbour,  
in his official capacity as Governor of  
the State of Mississippi*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

I further certify that the same day I sent notice to the following by First-Class U.S. Mail:

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